

Kassidy J. Wallin (14360)
Steven F. Alder (0033)
Assistant Attorneys General
SEAN D. REYES (7969)
UTAH ATTORNEY GENERAL
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
Telephone: (801) 538-7227
Attorneys for the Division of Oil, Gas and Mining

FILED

FEB 10 2014

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS & MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR
AGENCY ACTION OF ULTRA RESOURCES,
INC. FOR AN ORDER AUTHORIZING THE
FLARING OF GAS IN EXCESS OF THE
AMOUNTS ALLOWED UNDER UTAH
ADMIN. CODE RULE R649-3-20(1.1) FROM
THE THREE RIVERS #2-13-820 AND THREE
RIVERS #2-23-820 WELLS LOCATED IN
SECTION 2 OF TOWNSHIP 8 SOUTH,
RANGE 20 EAST, SLM, UINTAH COUNTY,
UTAH

**RESPONSE TO
REQUEST FOR AGENCY ACTION**

Docket No. 2014-011

Cause No. 142-11

The Utah Division of Oil, Gas and Mining (“**Division**”), by and through its attorneys and pursuant to Utah Code § 40-8-6 and Utah Admin. Code R641-105-200, hereby files its Response to Ultra Resources, Inc.’s (“**Ultra**”) Request for Agency Action (“**RAA**”) in the above-captioned matter.

BACKGROUND

1. The background facts in this matter are nearly identical to those in the Axia/Ultra¹ matter heard by the Board in January 2014.² The only difference is this matter deals with separate wells.

¹ Ultra is the successor by assignment to Axia as of December 13, 2013. *See* RAA at 2, ¶ 1.

² Docket No. 2014-002, Cause No. 142-10.

RESPONSE

In Docket No. 2014-002, Cause No. 142-10, heard by the Board in January, the Board granted a flaring extension only until the end of February. The Subject Wells are located in the same area as the wells in Docket No. 2014-002, Cause No. 142-10. Therefore, the flaring authorization should not be different for the Subject Wells than the flaring authorization for the wells in Docket No. 2014-002, Cause No. 142-10. All wells in the area are dependent upon construction of the same pipeline.

Therefore, the Division believes the instant Matter should be consolidated with Docket No. 2014-002, Cause No. 142-10, and should be considered as the same case. Accordingly, Ultra should report at the February 26, 2014 Board hearing as to the progress of the pipeline and should include all wells in the Three Rivers Project Area—including the Subject Wells—in its report to the Board.

RESPECTUFLLY SUBMITTED this 10 day of February, 2014.

UTAH ATTORNEY GENERAL'S OFFICE

By: 

Kassidy J. Wallin (14360)
Steven F. Alder (0033)
Assistant Attorneys General
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
Telephone: 801-538-7227
kassidywallin@utah.gov

CERTIFICATE OF MAILING

I hereby certify that on this 11th day of February, 2014, I caused a true and correct copy of the foregoing **RESPONSE** for Docket No. 2014-011, Cause No. 142-11, to be served via Email or U.S. Mail, properly addressed with postage prepaid, upon each of the following:

MacDonald & Miller
Mineral Legal Services, PLLC
Kiersty Loughmiller, Esq.
Frederick M. MacDonald, Esq.
Attorneys for Petitioner
7090 S. Union Park Ave., Suite 400
Salt Lake City, UT 84047
[Via Email]

Ultra Resources, Inc.
Jason Gaines
Sr. Drilling Engineer/Regulatory Manager
304 Inverness Way South, Suite 295
Englewood, CO 80112

Michael S. Johnson
Assistant Attorney General
Utah Board Of Oil, Gas And Mining
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
[Via Email]

Steven F. Alder
Assistant Attorney General
Utah Board Of Oil, Gas And Mining
1594 West North Temple, Suite 300
Salt Lake City, Utah 84116
[Via Email]

Utah School and Institutional
Trust Lands Administration
Attn: LaVonne Garrison
675 East 500 South, Suite 500
Salt Lake City, UT 84102

Stonegate Resources, LLC
P.O. Box 680667
Park City, UT 84068-0667

Wasatch Oil & Gas, LLC
1010 North 500 East, Suite 320
North Salt Lake, UT 84054

Mary L. McPherson
3920 Fox
Casper, WY 82604

UPL Three Rivers Holdings, LLC
c/o Mary Sharon Balakas
304 Inverness Way South, Ste. 295
Englewood, CO 80112


